

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

MARTIN J. WALSH, Secretary of)
Labor, United States Department of Labor,)
Plaintiff,)
v.) Civil action no.: 3:21-cv-00056-SMY
DAYEMI ORGANIZATION, INC. d/b/a)
LONGBRANCH CAFÉ AND BAKERY, an) CJRA Track: B
Illinois corporation, and ELAINE RAMSEYER) Presumptive Trial Month: March 2022
GREENBERG, an individual,) Judge Staci M. Yandle
Defendants.)

DECLARATION OF Gov't Informant

I, **Gov't Informant**, based on personal knowledge, state the following:

1. I am ^{Gov't In} years old and reside in **Gov't Informant**. I worked at Longbranch Café located at 100 E. Jackson Street, in Carbondale, Illinois, from **Gov't Informant**

2. **Gov't Informant**
 I then began working as a barista in or around **Gov't Informant**

3. Prior to working at Longbranch Café, I had some experience working in a café. Since ending my employment with Longbranch Café, I've continued to work in restaurants and cafes. None of my other employers have operated a tip pool where I had to tip out cooks and dishwashers.
4. I was hired by a manager named Wil Davis and the owner/manager, Elaine Ramseyer.
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Gov't Informant

I was trained as a barista mainly by a coworker named Maddy Pellow and Wil.

5. Gov't Informant

I cannot recall exactly what my wage was as a barista, but I believe it may have been the Illinois minimum cash wage for tipped employees. I also received tips from customers as a barista, which I paid into a tip pool. **Gov't Informant**

6. Servers and baristas at Longbranch Café were required to put all of their tips into a tip pool. The cooks and dishwashers received a cut of the tip pool, but I cannot recall exactly what percentage. The servers and baristas split the remainder.

7. Gov't Informant

my coworkers told me about the tip pool policy and how dishwashers and cooks were tipped out.

8. I was also informed of the specifics of the tip pool policy when I was trained as a barista. I believe Elaine or Maddy explained how to divide up the tip pool as part of my barista training. There was an instance in which I asked Elaine about the percentage of the tip pool that went to each category of employees. I was also told during my barista training that Longbranch Café did not write down how much tip money each employee received.

9. I am certain that tipping out the cooks was required. It was mandatory that we gave cooks a set percentage of the tip pool and we always did so. I believe it was also required that we tip out the dishwashers at a set percentage, but I cannot recall for certain.

10. There were times that another barista and I were responsible for dividing up the tip pool money at the end of the shift. We used calculators located under the barista cash register

Exhibit 10

or our cell phone calculators to ensure we were giving the correct percentage to the servers, baristas, cooks, and dishwashers.

11. There was an occasion in which I was responsible for dividing up the tip pool money and I initially forgot to account for the percentage that went to the cooks. I was told by one of my coworkers that I had to tip out the cooks.
12. My coworkers would occasionally complain amongst ourselves about the tip out policy.
13. During my employment with Longbranch Café there were never any staff meetings, let alone staff meetings in which the tip pool was discussed.
14. The Dayemi Organization has a lot of influence in the local community. Some of my coworkers at Longbranch Café were members of the Dayemi Organization.
15. Based on conversations I've had with some of my former coworkers, I believe former employees may fear retaliation from Dayemi Organization.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: November 22____, 2021

Signed:

Gov't Informant